

103^D CONGRESS
1ST SESSION

H. R. 2837

To require the Federal Communications Commission to establish standards to reduce the amount of programming which contains violence from broadcast television and radio.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 1993

Mr. BRYANT introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Federal Communications Commission to establish standards to reduce the amount of programming which contains violence from broadcast television and radio.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Television and Radio
5 Program Violence Reduction Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Television and radio programming are
2 bringing ever-increasing levels of violent program-
3 ming into the American home. Over 25 percent of
4 prime-time television shows contain 'very violent'
5 material, according to the National Coalition on Tel-
6 evision Violence.

7 (2) Prime time violence tripled during the
8 1980's, the American Academy of Pediatrics reports.

9 (3) Programs developed for children are espe-
10 cially violent. A University of Pennsylvania study
11 found that children's programming contains over 30
12 violent acts per hour.

13 (4) Before the average child finishes grade
14 school, he or she sees 8,000 murders and 100,000
15 acts of violence on television.

16 (5) Numerous academic studies have built up
17 astonishing evidence that shows children tend to imi-
18 tate the behavior they see on television. The Na-
19 tional Institute of Mental Health finds that violence
20 on television leads to aggressive behavior by children
21 and teenagers who watch violent programs.

22 (6) Three different Surgeons General, the At-
23 torney General's Task Force on Family Violence, the
24 American Medical Association, the American Psy-
25 chiatric Association, the American Academy of Pedi-

1 atrics, and other authorities have all found that
2 viewing televised violence is harmful to children.

3 (7) Americans watch enormous amounts of tele-
4 vision, and many children will watch television for
5 twice as many hours (22,000 hours) as they attend
6 school.

7 (8) Many children watch violent television pro-
8 grams without adult supervision or guidance.

9 (9) More than 20 years of research has led to
10 a consensus that watching televised violence in-
11 creases children's aggressiveness and desensitizes
12 them to the effects and implications of violence, and
13 the solidity of the agreement among respected sci-
14 entists that televised violence is harmful nullifies ar-
15 guments to the contrary by the television industry.

16 (10) There is a need to find solutions that limit
17 the harmful influence of television and radio violence
18 and yet maintain our freedom of expression.

19 **SEC. 3. DEFINITIONS.**

20 As used in this Act:

21 (1) The term "violence" means any action that
22 has as an element the use or threatened use of phys-
23 ical force against the person of another, or against
24 one's self, with intent to cause bodily harm to such
25 person or one's self. For purposes of this Act, an ac-

1 tion may involve violence regardless of whether or
2 not such action or threat of action occurs in a realis-
3 tic or serious context or in a humorous or cartoon
4 type context.

5 (2) The term “programming” includes cartoons.

6 (3) The term “child” or “children” means any
7 individual or individuals under 18 years of age.

8 (4) The term “person” shall have the same
9 meaning given that term under section 602(14) of
10 the Communications Act of 1934 (47 U.S.C.
11 522(14)).

12 (5) The term “cable operator” shall have the
13 same meaning given that term under section 602(4)
14 of the Communications Act of 1934 (47 U.S.C.
15 522(4)).

16 (6) The term “cable service” shall have the
17 same meaning given that term under section 602(5)
18 of the Communications Act of 1934 (47 U.S.C.
19 522(5)).

20 (7) The term “television or radio broadcast li-
21 censee” means a “licensee” as defined in section
22 3(c) of the Communications Act of 1934 (47 U.S.C.
23 153(c)) authorized to engage in television or radio
24 broadcasting, including independent television broad-
25 casting.

1 (8) The term “franchising authority” shall have
2 the same meaning given that term under section
3 602(10) of the Communications Act of 1934 (47
4 U.S.C. 522(10)).

5 **SEC. 4. RULEMAKING REQUIRED.**

6 (a) STANDARDS.—The Federal Communications
7 Commission shall, within 60 days after the date of the
8 enactment of this section, initiate a rulemaking proceeding
9 to prescribe standards applicable to television and radio
10 broadcast licensees and cable operators providing cable
11 service under a franchise granted by a franchising author-
12 ity, requiring such television or radio broadcast licensees
13 and cable operators, including cable programmers, to re-
14 duce the broadcasting of all video and audio programming
15 which contains violence.

16 (b) FINAL STANDARDS.—The Commission shall,
17 within 150 days following the date of the enactment of
18 this Act, prescribe final standards in accordance with this
19 section.

20 **SEC. 5. VIOLATIONS.**

21 (a) VIOLATIONS.—If a person violates any rule or
22 regulation issued or promulgated pursuant to section 3,
23 the Federal Communications Commission shall, after no-
24 tice and opportunity for hearing, impose on the person a
25 civil fine of not more than \$5,000. For purposes of this

1 subsection, each program in violation constitutes a sepa-
2 rate violation.

3 (b) INTENTIONAL VIOLATIONS.—If a person inten-
4 tionally violates any rule or regulation issued or promul-
5 gated pursuant to section 3, the Federal Communications
6 Commission shall, after notice and opportunity for hear-
7 ing, impose on the person a civil fine of not less than
8 \$10,000 or more than \$25,000. For purposes of this
9 subsection, each program in violation constitutes a sepa-
10 rate violation.

11 (c) REPEATED VIOLATIONS.—If a person repeatedly
12 violates any rule or regulation issued or promulgated pur-
13 suant to section 3, the Federal Communications Commis-
14 sion shall, after notice and opportunity for hearing, imme-
15 diately repeal the person's broadcast license in the case
16 of a broadcaster, and immediately repeal the person's sat-
17 ellite license in the case of the cable operator.

18 **SEC. 6. EXCEPTIONS FOR CERTAIN VIDEO PROGRAMMING.**

19 The Federal Communications Commission may ex-
20 empt, as public interest requires, certain video and audio
21 programming from the requirements of section 3, includ-
22 ing news broadcasts, sporting events, educational pro-
23 gramming and documentaries.

1 **SEC. 7. CONSIDERATION OF VIOLATIONS IN BROADCAST**
2 **LICENSE RENEWAL.**

3 The Federal Communications Commission shall con-
4 sider, among the elements in its review of an application
5 for renewal of a television or radio broadcast license, in-
6 cluding an independent television broadcaster, whether the
7 licensee has complied with the standards required to be
8 prescribed under section 3 of this Act.

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